



Lessard-Sams Outdoor Heritage Council

Accelerating the Waterfowl Production Area Acquisition Program - Phase XIV Laws of Minnesota 2023 Accomplishment Plan

General Information

Date: 07/10/2023

Project Title: Accelerating the Waterfowl Production Area Acquisition Program - Phase XIV

Funds Recommended: \$5,231,000

Legislative Citation: ML 2023, Ch. 40, Art. 1, Sec. 2, subd. 4(d)

Appropriation Language: \$5,231,000 the first year is to the commissioner of natural resources for an agreement with Pheasants Forever, in cooperation with the United States Fish and Wildlife Service, to acquire land in fee and restore and enhance wetlands and grasslands to be designated and managed as waterfowl production areas in Minnesota. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

Manager Information

Manager's Name: Sabin Adams

Title: MN Programs Manager

Organization: Pheasants Forever

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Location Information

County Location(s): Douglas, Yellow Medicine, Lac qui Parle, Pope, Sibley, Meeker, Swift, Jackson, Otter Tail, Stearns, Mahnommen, Murray, Becker and Kandiyohi.

Eco regions in which work will take place:

- Forest / Prairie Transition
- Prairie
- Metro / Urban

Activity types:

- Protect in Fee
- Restore

Priority resources addressed by activity:

- Wetlands
- Prairie

Narrative

Abstract

This Phase XV proposal permanently protects and restores 678 acres of Waterfowl Production Areas (WPAs) open to public hunting in Minnesota. Pheasants Forever (PF) will acquire parcels that are adjacent to existing public land or create corridors between complexes. All acquisitions will occur in the prairie, prairie/forest transition, or metro regions. Acquired properties will be restored to the highest extent possible with regard to time and budgets.

Design and Scope of Work

Wetland and grassland habitat in Minnesota have been declining for decades. Currently over 90% of wetland and 99% of grassland habitats have been converted to other uses. This proposal works to slow this decline by acquiring and restoring previously converted wetland and grassland habitat as permanently protected WPA's. The United States Fish and Wildlife Service (USFWS) and their partners have been employing this strategy for over 50 years through the Small Wetlands Acquisition Program (SWAP). Additionally, hunting and fishing stakeholders are very interested in increasing public access. This fifteenth phase of the WPA acceleration program provides public access and builds upon past work of the USFWS SWAP as well as the previous fourteen phases of this effort. Properties will be identified by using landscape level planning tools such as USFWS' Duck Breeding Density Maps, as well as MN DNR natural heritage data and numerous state level conservation plans. In addition to wildlife benefits, the lands acquired and restored through this grant will provide improved water quality, groundwater recharge, and flood abatement benefits. These strategies are well tested and are supported by the greater conservation community in Minnesota.

To address concerns related to county tax revenues due to acquiring public land, the USFWS and PF will notify counties prior to the acquisition of lands. Once acquired, the USFWS will make a one-time payment (called a Trust Fund payment) to the county where the property is located. In addition, the USFWS will make annual refuge revenue sharing payments for all fee lands within the respective counties.

All wetlands, on the properties acquired, will be restored by either surface ditch "plugs," breaking sub-surface tile lines, or other best practices for wetland restoration. Grasslands will be restored by planting site-appropriate native grasses and forbs following known best practices for the establishment. Grassland restoration on individual tracts may take three to five years, involving one to two years of post-acquisition farming to prepare the site for seeding (e.g. weed management issues, chemical carryover, other site-specific issues). Other restoration activities could include invasive tree removal, building site-clean-up, prescribed fire, etc. as necessary to provide high-quality habitat and public access to the citizens of Minnesota.

How does the plan address habitats that have significant value for wildlife species of greatest conservation need, and/or threatened or endangered species, and list targeted species?

PF actively engages in conservation priority discussions with state and government agencies, to determine what areas are the highest priority for adding permanently protected lands in the prairie, prairie/forest transition, and metro planning areas. High priority is given to parcels whose restoration and protection benefits rare, threatened, & endangered species. Often the only locations where many threatened and endangered species are found is on

existing habitat complexes. This proposal builds upon those complexes allowing for expansion and increased populations of those species.

When selecting projects for this proposal, PF uses the latest GIS data and works with DNR and USFWS staff to identify locations that benefit species of greatest conservation need. Additionally, species of greatest conservation need are considered and can influence restoration plans after the land is permanently protected. By increasing the amount, functionality, and productivity of grassland landscapes for these species, we aim to slow population decline. Restoration of wetland and grassland complexes will provide habitat for a myriad of species including waterfowl, black terns, bobolinks, meadowlarks, ring-necked pheasants, pollinators, and monarchs. Other species of concern benefiting from this project include the greater prairie chicken, short-eared owl, marsh hawk, and yellow rails.

Describe how the plan uses science-based targeting that leverages or expands corridors and complexes, reduces fragmentation or protects areas identified in the MN County Biological Survey:

This program uses numerous science-based conservation plans, all of which expand corridors and complexes, as well as conservation data to evaluate each potential acquisition and determine if it will provide significant habitat benefits. These plans and data sources include the MN County Biological Survey Biodiversity Significance data, MN Prairie Conservation Plan, The MN DNR Pheasant Action Plan, USFWS' Duck Breeding Density data and the MN DNR Natural Heritage Information Systems data. Preference is given to properties that help improve habitat for identified species as well as deliver the goals of these recognized conservation plans.

Which two sections of the Minnesota Statewide Conservation and Preservation Plan are most applicable to this project?

- H1 Protect priority land habitats
- H5 Restore land, wetlands and wetland-associated watersheds

Which two other plans are addressed in this program?

- Long Range Duck Recovery Plan
- North American Waterfowl Management Plan

Which LSOHC section priorities are addressed in this program?

Forest / Prairie Transition

- Protect, enhance, and restore migratory habitat for waterfowl and related species, so as to increase migratory and breeding success

Metro / Urban

- Protect, enhance, and restore remnant native prairie, Big Woods forests, and oak savanna with an emphasis on areas with high biological diversity

Prairie

- Protect, enhance, or restore existing wetland/upland complexes, or convert agricultural lands to new wetland/upland habitat complexes

Outcomes

Programs in forest-prairie transition region:

- Protected, restored, and enhanced nesting and migratory habitat for waterfowl, upland birds, and species of greatest conservation need ~ *Strategic parcels that increase the functionality of existing habitat will be acquired and restored to functioning wetlands with diverse upland prairie to serve as habitat for resident and migratory waterfowl. Lands will be transferred to the USFWS as a WPA to provide accelerated wildlife habitat and public access, monitored by the USFWS. Protected and restored acres will be measured against goals outlined in each WMD Comprehensive Plan which rolls up to the North American Waterfowl Management Plan.*

Programs in metropolitan urbanizing region:

- Protected habitats will hold wetlands and shallow lakes open to public recreation and hunting ~ *Strategic parcels that increase the functionality of existing habitat will be acquired and restored to functioning wetlands with diverse upland prairie to serve as habitat for resident and migratory waterfowl. Lands will be transferred to the USFWS as a WPA to provide accelerated wildlife habitat and public access, monitored by the USFWS. Protected and restored acres will be measured against goals outlined in each WMD Comprehensive Plan which rolls up to the North American Waterfowl Management Plan.*

Programs in prairie region:

- Protected, restored, and enhanced habitat for migratory and unique Minnesota species ~ *Strategic parcels that increase the functionality of existing habitat will be acquired and restored to functioning wetlands with diverse upland prairie to serve as habitat for resident and migratory waterfowl. Lands will be transferred to the USFWS as a WPA to provide accelerated wildlife habitat and public access, monitored by the USFWS. Protected and restored acres will be measured against goals outlined in each WMD Comprehensive Plan which rolls up to the North American Waterfowl Management Plan.*

Does this program include leveraged funding?

Yes

Explain the leverage:

WPAs are acquired with funds derived from the sale of Federal Duck Stamps and managed for wildlife and conservation benefits as part of the National Wildlife Refuge System. Land acquisition and restoration have not kept pace with habitat restoration needs or the backlog of willing sellers. The USFWS's Midwest Region receives on average \$5 million from duck stamp proceeds to purchase fee-title lands or easements in Minnesota. If funded, this proposal will accelerate the protection and restoration of Minnesota's valuable wetland and grassland habitats and provide additional public hunting and fishing areas.

Per MS 97A.056, Subd. 24, Please explain whether the request is supplanting or is a substitution for any previous funding that was not from a legacy fund and was used for the same purpose.

This proposal supplements past investments and is aimed at accelerating the protection and restoration of strategic parcels.

Non-OHF Appropriations

Year	Source	Amount
Annual	PF	\$100,000

How will you sustain and/or maintain this work after the Outdoor Heritage Funds are expended?

Grant funds received for this project will result in fee title transfers of additional land into the National Wildlife Refuge System. The long-term protection and management of these habitats will be the responsibility of the USFWS, an agency that employs professional managers, biologists, field staff, realty staff, and enforcement officers. The USFWS has an annual operating budget designated specifically for the management of refuge resources. Wetlands and their contributing watersheds will be protected and prairie habitats monitored and managed. The USFWS has an active, professional prescribed burning program and utilizes fire to reduce woody invasion of prairies, enhance diversity, and rejuvenate uplands. Biological, mechanical, and sometimes chemical treatments are used as needed in an integrated management approach to provide high-quality migration and breeding habitats. Acquisitions are targeted within areas that have existing USFWS ownership to reduce management and administrative costs. In addition, great care is given to the creation and acquisition of possible new Waterfowl Production Areas outside existing ownership areas.

Actions to Maintain Project Outcomes

Year	Source of Funds	Step 1	Step 2	Step 3
Post Transfer	Federal	Monitoring	Maintenance	Habitat Management

Provide an assessment of how your program celebrates cultural diversity or reaches diverse communities in Minnesota, including reaching low- and moderate-income households:

The goal of this program is to protect and restore wildlife habitat and make these areas accessible to all Minnesotans, regardless of cultural background or fiscal standing. Properties acquired under this program will be free and open to access by all. These properties can be recreated on by all levels of income from free hiking/wildlife watching to expensive hunting practices. This program spans all of the Prairie, Forest-Prairie, and Metro regions. Some acquisitions will be nearby areas with diverse or low-income communities. This program will engages with anyone who wants to participate in public lands and the outdoors.

Activity Details

Requirements

If funded, this program will meet all applicable criteria set forth in MS 97A.056?

Yes

Will county board or other local government approval be formally sought prior to acquisition, per 97A.056 subd 13(j)?**

No

Describe any measures to inform local governments of land acquisition under their jurisdiction:

At minimum we will notify local government in writing of the intent to acquire and donate lands to the USFWS and follow up with questions prior to acquisition. In cases where there is interest, we will also indicate our willingness to attend or ask to attend county or township meetings to communicate our interest in the projects and seek support.

Is the land you plan to acquire (fee title) free of any other permanent protection?

No

Describe the permanent protection and justification for additional protection:

A limited number of the parcels may have a federal or state easement on a portion of the tract which provides permanent protection for wetlands or grasslands. If a parcel has one of these encumbrances, and

is still deemed a high priority by our agency partners, we will follow guidance established by the Outdoor Heritage Fund to proceed, or use non-state funding to acquire the residual value of the protected portion of the property.

Will restoration and enhancement work follow best management practices including MS 84.973 Pollinator Habitat Program?

Yes

Is the restoration and enhancement activity on permanently protected land per 97A.056, Subd 13(f), tribal lands, and/or public waters per MS 103G.005, Subd. 15 or on lands to be acquired in this program?

Yes

Where does the activity take place?

- WMA
- WPA
- Refuge Lands

Land Use

Will there be planting of any crop on OHF land purchased or restored in this program?

Yes

Explain what will be planted:

This proposal may include initial development plans or restoration plans to utilize farming to prepare previously farmed sites for native plant seeding. This is a standard practice across the Midwest to prepare the seedbed for native seed planting. In these restorations, PF's policy is to use non-neonicotinoid treated seed and no herbicides other than glyphosate.

Is this land currently open for hunting and fishing?

No

Will the land be open for hunting and fishing after completion?

Yes

Describe any variation from the State of Minnesota regulations:

All acquired lands will be open to the public taking of fish and game during the open season according to the National Wildlife Refuge System Improvement Act, United States Code, title 16, section 668dd, et seq.

Who will eventually own the fee title land?

- Federal

Land acquired in fee will be designated as a:

- WPA

What is the anticipated number of closed acquisitions (range is fine) you plan to accomplish with this appropriation?

5-7

Are there currently trails or roads on any of the proposed acquisitions?

No

Will new trails or roads be developed or improved as a result of the OHF acquisition?

No

Will the acquired parcels be restored or enhanced within this appropriation?

Yes

All properties will have wetlands and upland habitats restored to the greatest extent possible with consideration to the timeline and budgets.

Will the land that you acquire (fee or easement) be restored or enhanced within this program's funding and availability?

Yes

Timeline

Activity Name	Estimated Completion Date
Restoration completed	06/30/2028
Close on tracts	01/01/2027
Purchase agreements	09/01/2024
Contract appraisals ordered	04/01/2023
Re-evaluate tract priority	02/14/2023
Purchase agreements	02/01/2024
Contract appraisals ordered	09/01/2023
Identify priority acquisitions	07/01/2023

Date of Final Report Submission: 06/30/2031

Availability of Appropriation: Subd. 7. Availability of Appropriation

(a) Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Money appropriated to acquire land in fee may be used to restore, enhance, and provide for public use of the land acquired with the appropriation. Public-use facilities must have a minimal impact on habitat in acquired lands.

(b) Money appropriated in this section is available as follows:

- (1) money appropriated for acquiring real property is available until June 30, 2027;
- (2) money appropriated for restoring and enhancing land acquired with an appropriation in this act is available for four years after the acquisition date with a maximum end date of June 30, 2031;
- (3) money appropriated for restoring or enhancing other land is available until June 30, 2028;
- (4) notwithstanding clauses (1) to (3), money appropriated for a project that receives at least 15 percent of its funding from federal funds is available until a date sufficient to match the availability of federal funding to a maximum of six years if the federal funding was confirmed and included in the original approved draft accomplishment plan; and
- (5) money appropriated for other projects is available until the end of the fiscal year in which it is appropriated.

Budget

Budget reallocations up to 10% do not require an amendment to the Accomplishment Plan.

Totals

Item	Funding Request	Leverage	Leverage Source	Total
Personnel	\$78,900	-	-	\$78,900
Contracts	\$545,900	\$43,800	PF, Federal, Private	\$589,700
Fee Acquisition w/ PILT	-	-	-	-
Fee Acquisition w/o PILT	\$4,318,900	\$1,315,400	PF, Federal, Private	\$5,634,300
Easement Acquisition	-	\$2,192,300	PF, Federal, Private	\$2,192,300
Easement Stewardship	-	-	-	-
Travel	\$6,600	-	-	\$6,600
Professional Services	\$115,300	\$394,600	PF, Federal, Private	\$509,900
Direct Support Services	\$22,000	\$12,300	PF	\$34,300
DNR Land Acquisition Costs	\$10,500	-	-	\$10,500
Capital Equipment	-	-	-	-
Other Equipment/Tools	-	-	-	-
Supplies/Materials	\$132,900	-	-	\$132,900
DNR IDP	-	-	-	-
Grand Total	\$5,231,000	\$3,958,400	-	\$9,189,400

Personnel

Position	Annual FTE	Years Working	Funding Request	Leverage	Leverage Source	Total
Grants Staff	0.37	3.0	\$32,900	-	-	\$32,900
Field Staff	0.55	3.0	\$32,900	-	-	\$32,900
State Coordinator	0.15	3.0	\$13,100	-	-	\$13,100

Amount of Request: \$5,231,000

Amount of Leverage: \$3,958,400

Leverage as a percent of the Request: 75.67%

DSS + Personnel: \$100,900

As a % of the total request: 1.93%

Easement Stewardship: -

As a % of the Easement Acquisition: -

How will this program accommodate the reduced appropriation recommendation from the original proposed requested amount?

All budget items in this program have been reduced by the recommended percentage in the councils allocations.

Describe and explain leverage source and confirmation of funds:

Leverage is expected from multiple sources including but not limited to federal sources, land value donations, contractor donations and PF. Not every source is 100% confirmed at this point. However, PF has an exemplary track record of delivery and over-achievement of match commitments that further stretch OHF funding.

Personnel

Has funding for these positions been requested in the past?

Yes

Please explain the overlap of past and future staffing and position levels previously received and how that is coordinated over multiple years?

In general PF staffing is existing and only partially funded by OHF and specifically this request. Billing to any appropriation would only be for time spent on direct and necessary costs incurred as outlined in an Accomplishment Plan.

Contracts

What is included in the contracts line?

We anticipate that all contract funding will be used for restoration, enhancement, and initial development of the protected acres and \$13,200 for adjacent protected lands. This could include but is not limited to wetland/grassland restoration, tree removal, prescribed fire, building removal, posts, signs, and other development needs.

Fee Acquisition

What is the anticipated number of fee title acquisition transactions?

5-7

Travel

Does the amount in the travel line include equipment/vehicle rental?

No

Explain the amount in the travel line outside of traditional travel costs of mileage, food, and lodging

n/a

I understand and agree that lodging, meals, and mileage must comply with the current MMB Commissioner Plan:

Yes

Direct Support Services

How did you determine which portions of the Direct Support Services of your shared support services is direct to this program?

PF utilizes the Total Modified Direct Cost method. This methodology is annually approved by the U.S. Department of Interior's National Business Center as the basis for the organization's Indirect Cost Rate agreement. PF's allowable direct support services cost is 3.97%. In this proposal, PF has discounted its rate to 2.5% of the sum of personnel, contracts, professional services, and travel. We are donating the difference-in-kind.

Federal Funds

Do you anticipate federal funds as a match for this program?

Yes

Are the funds confirmed?

Yes

- Cash : \$1,989,000
- In Kind : \$351,000

Output Tables**Acres by Resource Type (Table 1)**

Type	Wetland	Prairie	Forest	Habitat	Total Acres
Restore	-	13	-	-	13
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State PILT Liability	199	466	-	-	665
Protect in Easement	-	-	-	-	-
Enhance	-	-	-	-	-
Total	199	479	-	-	678

Total Requested Funding by Resource Type (Table 2)

Type	Wetland	Prairie	Forest	Habitat	Total Funding
Restore	-	\$13,200	-	-	\$13,200
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State PILT Liability	\$1,565,400	\$3,652,400	-	-	\$5,217,800
Protect in Easement	-	-	-	-	-
Enhance	-	-	-	-	-
Total	\$1,565,400	\$3,665,600	-	-	\$5,231,000

Acres within each Ecological Section (Table 3)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Acres
Restore	-	-	-	13	-	13
Protect in Fee with State PILT Liability	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	67	199	-	399	-	665
Protect in Easement	-	-	-	-	-	-
Enhance	-	-	-	-	-	-
Total	67	199	-	412	-	678

Total Requested Funding within each Ecological Section (Table 4)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Funding
Restore	-	-	-	\$13,200	-	\$13,200
Protect in Fee with State PILT Liability	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	\$521,800	\$1,565,400	-	\$3,130,600	-	\$5,217,800
Protect in Easement	-	-	-	-	-	-
Enhance	-	-	-	-	-	-
Total	\$521,800	\$1,565,400	-	\$3,143,800	-	\$5,231,000

Average Cost per Acre by Resource Type (Table 5)

Type	Wetland	Prairie	Forest	Habitat
Restore	-	\$1,015	-	-
Protect in Fee with State PILT Liability	-	-	-	-
Protect in Fee w/o State PILT Liability	\$7,866	\$7,837	-	-
Protect in Easement	-	-	-	-
Enhance	-	-	-	-

Average Cost per Acre by Ecological Section (Table 6)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest
Restore	-	-	-	\$1,015	-
Protect in Fee with State PILT Liability	-	-	-	-	-

Protect in Fee w/o State PILT Liability	\$7,788	\$7,866	-	\$7,846	-
Protect in Easement	-	-	-	-	-
Enhance	-	-	-	-	-

Target Lake/Stream/River Feet or Miles

Parcels

For restoration and enhancement programs ONLY: Managers may add, delete, and substitute projects on this parcel list based upon need, readiness, cost, opportunity, and/or urgency so long as the substitute parcel/project forwards the constitutional objectives of this program in the Project Scope table of this accomplishment plan. The final accomplishment plan report will include the final parcel list.

Parcel Information

Sign-up Criteria?

No

Explain the process used to identify, prioritize, and select the parcels on your list:

Parcels are identified and strategically prioritized using the best science and decision support tools (e.g. HAPET Duck Breeding Density Maps) available. Preference is given to project sites that help deliver the goals of other recognized conservation initiatives and plans. Data layers (i.e. MN Biological Survey, Natural Heritage Database, MN Prairie Plan, Wellhead Protection Areas, Pheasant Action Plan, existing protected land, etc.) are used to help justify projects and focus areas as well as to inform decisions on top priorities for protection and restoration efforts.

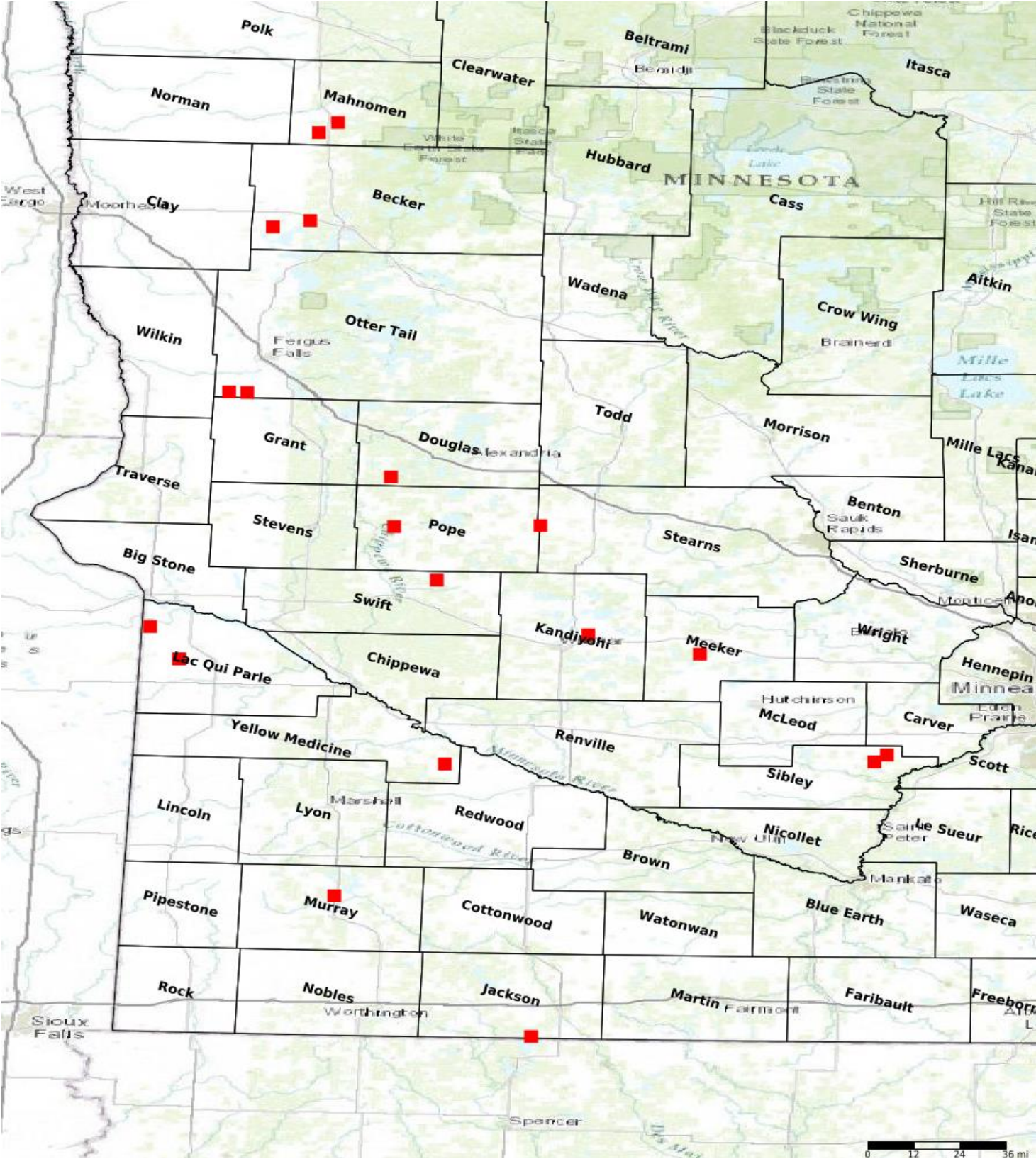
Protect Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
Erickson WPA Addn	Becker	13943234	53	\$175,000	No
Audobon WPA Addn	Becker	13942222	198	\$594,000	No
Bengston WPA Addn	Douglas	12740224	80	\$320,000	No
Schotzko WPA	Jackson	10135231	366	\$4,975,000	No
Bur Oak Lake WPA	Kandiyohi	12034233	194	\$1,067,000	No
Larson WPA Addn	Lac qui Parle	11845217	25	\$125,000	No
Beyer WPA Addn	Lac qui Parle	12046233	26	\$40,000	No
Larson WPA Addn	Lac qui Parle	11845217	25	\$125,000	No
Haggman WPA Addn	Mahnomen	14441232	939	\$3,286,500	Yes
Moore Lake WPA Addn	Mahnomen	14342214	710	\$2,485,000	No
Youngstrom Lake WPA	Meeker	11931228	131	\$591,120	No
Rabbit River WPA Addn	Otter Tail	13144228	160	\$560,000	No
Little Chippewa River WPA Addn	Pope	12539231	80	\$240,000	No
Mud Lake WPA	Sibley	11426229	74	\$447,000	No
Washington Lake WPA	Sibley	11426215	40	\$98,200	No
Mud Lake WPA	Sibley	11426229	74	\$447,000	No
Svor WPA Addn	Swift	12238217	150	\$525,000	Yes
Busack WPA Addn	Yellow Medicine	11338203	20	\$80,000	No

Protect Parcels with Buildings

Name	County	TRDS	Acres	Est Cost	Existing Protection	Buildings	Value of Buildings
Five Mile Corner WPA Addn	Murray	10741215	147	\$1,697,000	No	3	\$50,000
Dahler Slough WPA Addn	Otter Tail	13144225	100	\$500,000	No	2	\$0
Prairie Storm WPA Addn	Stearns	12535230	160	\$1,120,000	No	2	\$0

Parcel Map



- Protect in Easement
- ▲ Protect in Fee with PILT
- Protect in Fee W/O PILT
- ★ Restore
- ✕ Enhance
- ⊕ Other